

## IN THE CLAIMS

Please amend the status of the claims as indicated below:

***The Examiner is advised that new Claims 51-69 were copied on March 3, 2009, from Lombardi, U.S. Patent No. 7,365,258 B1, issued April 29, 2008, for the purpose of provoking an interference proceeding.***

Claims 1-43 (canceled)

44. (previously presented) A drum, comprising:

a resonant chamber having an external surface capable of being struck by a player of said drum, said external surface being able to produce a range of sounds;

means for altering said range of sounds produced by the player when striking said external surface comprising a plurality of internal snares for contacting an internal surface of said external surface for altering said range of sounds; and,

means for moving said plurality of internal snares away from said internal surface comprising a member passing beneath said plurality of internal snares, along a length thereof and movable between a first position and a second position, wherein said plurality of internal snares about said internal surface in said first position and, in said second position, said plurality of internal snares are displaced from said internal surface.

45. (previously presented) The drum according to Claim 44, wherein said member passing beneath said plurality of internal snares has an extension extending beyond said resonant chamber that is manipulable by the player for modifying said

plurality of internal snares.

46. (previously presented) The drum according to Claim 44, wherein said plurality of internal snares are wires.

47. (previously presented) The drum according to Claim 44, wherein said plurality of internal snares extend between two sides of said internal surface.

48. (previously presented) A drum, comprising:  
a resonant chamber having an external surface for producing a range of sounds when said external surface is struck by a player of said drum;  
means for altering said range of sounds produced by the player when striking said external surface; and,  
a bass drum stick within said resonant chamber, said bass drum stick having a handle and a head with an end of said handle positioned distal from said head and being mounted for partial rotation, so that said head selectively contacts an inner surface of said resonant chamber in a striking manner.

49. (previously presented) The drum according to Claim 48, further comprising means for biasing said head of said bass drum stick away from said inner surface of said resonant chamber.

50. (previously presented) The drum according to Claim 48, further comprising a foot pedal operable by the player for causing said partial rotation of said head of said bass drum stick for causing said head to strike said inner surface.

51. (previously presented) A percussion assembly including a sound box having upright walls, a seat top, and an interior, the assembly comprising:

- a) a beater located in the box interior,
- b) and means to activate the beater to repeatedly beat against a surface of a wall at said interior, said means including a cable outside the box and extending toward a box wall, the cable operatively connected to the beater in the box.

52. (previously presented) The assembly of Claim 51, wherein said wall has different outer surface portions located to be selectively manually impacted.

53. (previously presented) A percussion assembly including a sound box having upright walls, a seat top, and an interior, the assembly comprising:

- a) a beater located in the box interior,
- b) and means to activate the beater to repeatedly beat against a surface of a wall at said interior,
- c) and wherein said wall has different outer surface portions located to be selectively manually impacted,
- d) and wherein there are three of said outer surface portions which, when impacted, produce three different sounds.

54. (previously presented) The assembly of Claim 53, wherein said wall surface at said interior is located in registration with at least one of said wall outer surface portions.

55. (previously presented) The assembly of Claim 51, wherein said means include a rotary shaft outside the box and extending toward a box wall, and operatively connected to the beater in the box.

56. (previously presented) The assembly of Claim 55, including a foot operated pedal operatively connected to the rotary shaft to effect reciprocating rotary shaft movement.

57. (previously presented) The assembly of Claim 51, wherein said means include a foot operated pedal operatively connected to said cable outside the box to effect reciprocating rotary cable movement.

58. (previously presented) The assembly of Claim 55, wherein said box wall defines an opening via which rotary movement is transmitted by the rotary shaft.

59. (previously presented) The assembly of Claim 51, wherein said wall surface is separate from a box wall toward which the beater is displaced.

60. (previously presented) The method of producing rhythm, that includes providing the assembly of Claim 51, and

- i) activating the beater as defined in b) Claim 51,
- ii) and manually striking a box wall surface, rhythmically in relation to said step i).

61. (previously presented) A percussion assembly including a sound box having

upright walls, a seat top, and an interior, the assembly comprising:

- a) a beater located proximate one of said walls,
- b) means to activate the beater to repeatedly beat against a surface of said one wall,
- c) and wherein a wall of the box has different outer surface portions located to be selectively manually impacted.

62. (previously presented) A percussion assembly including a sound box having upright walls, a seat top, and an interior, the assembly comprising:

- a) a beater located proximate one of said walls,
- b) and means to activate the beater to repeatedly beat against a surface of said one wall,
- c) and wherein a wall of the box has different outer surface portions located to be selectively manually impacted,
- d) and wherein there are three of said outer surface portions which, when impacted, produce three different sounds.

63. (previously presented) The assembly of Claim 62, wherein said one wall surface is located in proximity with at least one of said wall outer surface portions.

64. (previously presented) A percussion assembly including a sound box having upright walls, a seat top, and an interior, the assembly comprising:

- a) a beater located proximate one of said walls,
- b) means to activate the beater to repeatedly beat against a surface of said one

wall,

c) and wherein said means include a rotary shaft outside the box and extending toward said one box wall, and operatively connected to the beater.

65. (previously presented) The assembly of Claim 64, including a foot operated pedal operatively connected to the rotary shaft to effect reciprocating rotary shaft movement.

66. (previously presented) The assembly of Claim 61, wherein said means include a cable outside the box and extending toward said one box wall, the cable operatively connected to the beater.

67. (previously presented) The assembly of Claim 66, wherein said means include a foot operated pedal operatively connected to the cable outside the box to effect reciprocating cable movement.

68. (previously presented) The method of producing rhythm, that includes providing the assembly of Claim 61, and

i) activating the beater as defined in b) Claim 61,  
ii) and manually striking a box wall surface, rhythmically in relation to said step i).

***The Examiner is advised that new independent Claim 69 is based upon independent Claim 1 from Lombardi, U.S. Patent No. 7,365,258 B1, issued April 29, 2008, and is presented for the purpose of provoking an interference proceeding:***

69. (new) A percussion assembly including a sound box having upright walls, a seat top, and an interior, the assembly comprising:

a) a beater located in the box interior,

b) and means to activate the beater to repeatedly beat against a surface of a wall at said interior, said means including a flexible extendable member outside the box and extending toward a box wall, the flexible extendable member operatively connected to the beater in the box.

***The Examiner is advised that new dependent Claims 70 and 71, which are made dependent upon independent Claims 44 and 48, respectively, recite a preferred embodiment of Applicant's invention and are not based upon the claims patented in Lombardi, U.S. Patent No. 7,365,258 B1, issued April 29, 2008:***

70. (new) The drum according to Claim 44, further comprising means for folding said drum for permitting storage or transportation thereof.

71. (new) The drum according to Claim 48, further comprising means for folding said drum for permitting storage or transportation thereof.